

# C A M P A I G N F O R ACCOUNTABILITY

October 12, 2017

By email: [health.commissioner@state.mn.us](mailto:health.commissioner@state.mn.us)

Commissioner Dr. Edward Ehlinger  
Minnesota Department of Health  
625 N. Robert Street  
St. Paul, Minnesota 55155-2538

**Re: Minnesota Government Data Practices Act Request**

Dear Commissioner Ehlinger:

Campaign for Accountability (“CfA”) makes this request for public records, regardless of format, medium, or physical characteristics, and including electronic records and information, audiotapes, videotapes and photographs, pursuant to the Minnesota Government Data Practices Act, Minn. Stat. § 13.01 *et seq.*

Specifically, CfA seeks copies of all solicitations, grant proposals, grant agreements, reimbursement requests and/or purchase orders pertaining to the Positive Alternatives Grant Program. In addition, CfA seeks copies of all formal or informal reports that have resulted from the Commissioner’s duty to monitor and review the grantees under the Positive Alternatives Grant Program. This request is for records from June 1, 2005 to the present.

By way of background, in 2005, the Minnesota Legislature passed Senate File 917, the “Positive Alternatives Act,” which directed the Commissioner of Health to award grants to “alternatives to abortion programs to support, encourage, and assist women in carrying their pregnancies to term and caring for their babies after birth.”<sup>1</sup> In the enacting legislation, the Legislature appropriated \$2.5 million annually to the program for fiscal years 2007, 2008, and 2009.<sup>2</sup> According to the Department’s fact sheet about the program, it now appropriates \$6,714,000 per biennium to the program.<sup>3</sup> In July 2016, the Department announced that it would award over \$10 million in grants for the program from 2016 to 2019.<sup>4</sup>

If it is your position that any portion of the records requested is exempt from disclosure because it is nonpublic, protected nonpublic, private or confidential, please provide a written notice indicating the basis for that determination. Minn. Stat. § 13.03(3)(f). If a requested record

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<sup>1</sup> 2005 Minn. Laws page no. 124.

<sup>2</sup> *Id.*

<sup>3</sup> Minnesota Department of Health, 2015 Positive Alternatives Grant Program, *available at* <http://www.health.state.mn.us/divs/cfh/program/paa/content/document/pdf/pafactsheet.pdf>.

<sup>4</sup> Minnesota Department of Health, 2016-19 Positive Alternatives Grant Awards with Program or Service, July 2016, *available at* [http://www.health.state.mn.us/divs/cfh/program/paa/content/document/pdf/paagantees2016\\_19.pdf](http://www.health.state.mn.us/divs/cfh/program/paa/content/document/pdf/paagantees2016_19.pdf).

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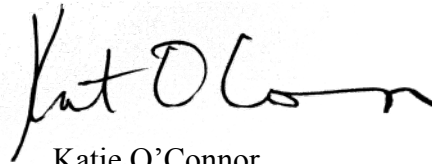
contains material that is exempt from disclosure as well as material that is not exempt, please produce the portions of the record that are not exempt.

CfA is a non-profit organization and seeks the requested information primarily to benefit the general public. Furnishing copies of these records will allow CfA to inform and educate the public about state funding received by a private organization. Accordingly, CfA requests that the information be provided without charge. If a fee waiver is not available, please inform me if the cost will exceed \$250.

Please respond to this request in a prompt manner, as required by Minn. Stat. § 13.03(2)(a). If possible, please provide the records to me in electronic form by email at [koconnor@campaignforaccountability.org](mailto:koconnor@campaignforaccountability.org). Minn. Stat. § 13.03(3)(e). If the records are mailed, please send them to: Campaign for Accountability, 611 Pennsylvania Ave S.E., #337, Washington, D.C. 20003. If there is a designee to whom I should direct this request, please let me know.

If you are unable to meet this statutory mandate, foresee any problems in releasing the requested records in whole or in part, or have any questions about this request, please contact me at 202-780-5750. Finally, I welcome the opportunity to discuss with you whether and to what extent this request can be narrowed or modified to better enable the Department of Health to process it. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie O'Connor", with a stylized, flowing script.

Katie O'Connor  
Legal Counsel  
Campaign for Accountability